

**BIENERT, MILLER, WERTZEL & KATZMAN**  
A Professional Law Corporation

March 20, 2008

**BY FACSIMILE AND U.S. MAIL**  
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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2008 MAR 20 P 1:10

Jeff Jordan, Esq.  
Federal Election Commission  
Washington, D C 20463

**Re: FEDERAL ELECTION COMMISSION ("FEC") INQUIRY**  
**REGARDING DR. JOSE VALDEZ**  
**FEC REF NO- MUR 5955**

Dear Mr. Jordan:

I represent Dr Jose Valdez, the subject of the inquiry noted above. I am writing in an effort to resolve this matter on behalf of Dr Valdez through conciliation. Thus this communication is made pursuant to settlement negotiations and Federal Rule of Evidence 408 for the purpose of this settlement discussion.

I believe the instant situation is appropriate for conciliation for a variety of reasons. The matter involves a minimal amount of money, namely \$11,500, that was contributed to the Presidential Campaign of Rudy Giuliani, in the name of five separate donors, two of whom were Dr. Valdez and his wife. Dr. Valdez reimbursed the other donors for their contributions. The funds were not, in fact, used by the Giuliani campaign, as they were refunded by the campaign. Nor were the contributions made with any intent to corruptly influence the candidate, at no time did Dr. Valdez seek special influence, favors, or anything from Mr. Giuliani or his campaign. Moreover, Dr. Valdez has never had any issues of improper campaign contributions before or since. Finally, conciliation would allow the Commission to resolve this matter expeditiously and without the need for costly and lengthy investigation and findings.

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Jeff Jordan, Esq

Re: **FEDERAL ELECTION COMMISSION ("FEC") INQUIRY REGARDING  
DR. JOSE VALDEZ**

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Both Dr Valdez and I are available to cooperate with you in the conciliation process. I hope that you will agree that this matter is appropriate for expeditious resolution and contact me to further address the matter. Of course, please let me know if you would like any further information from me. Otherwise, I look forward to hearing from you at your convenience.

Very truly yours,

BIENERT, MILLER, WHITZEL &amp; KATZMAN

  
Thomas H. Bienert, Jr., Esq